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# State of Utah

## DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER  
Executive Director

### Division of Oil, Gas and Mining

JOHN R. BAZA  
Division Director

March 15, 2016

Michael Dalley  
Staker Parson Companies  
89 West 13490 South, Suite 100  
Draper, Utah 84020

Subject: Email Review of Notice of Intention to Commence Large Mining Operations, Staker Parson Companies, Heber Binggeli Mine, M/051/0015, Wasatch County, Utah

Dear Mr. Dalley:

On March 3, 2016, the Division of Oil, Gas and Mining received questions via electronic mail concerning its review of the modified Notice of Intention to Commence Large Mining Operations (NOI) for the Heber Binggeli mine. This response addresses only the four questions in the e mail.

**Please submit your response to this review and the comments in the January 11, 2016, review by June 8, 2016. This is an extension of the deadline established in the Division's January 11, 2016, letter and is in accordance with your request dated and received March 11, 2016.**

The Division will suspend further review of the Notice until receiving your response to this letter. Please contact Leslie Heppler at 801-538-5257 or me at 801-538-5261 if you have questions about this process or about the review. Thank you for your cooperation.

Sincerely,

Paul B. Baker  
Minerals Program Manager

PBB: lah: eb

Attachment: Review

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**Email REVIEW OF NOTICE OF INTENTION  
TO COMMENCE LARGE MINING OPERATIONS  
Staker Parson Companies  
Heber Binggeli Quarry  
M/051/0015  
March 15, 2016**

**R647-4-104 – Operator Information and Surface and Mineral Ownership**

Comment #	Sheet/Page/Map/Table #	Comments	Initials	Review Action
7	Page 7	Landowners can't be verified without Figure 2.  Response from Operator (MD) -What do you mean by Figure 2?  OGM Response – "Figure 2: Adjacent Land Owners Map" is listed in the NOI's Table of Contents on page 3. The Division recognizes that the December 9, 2015, submittal was not complete, but the map referenced in the Table of Contents is needed.	lah  MD  lah	

**R647-4-106 - Operation Plan**

**106.2 - Type of operations - mining method, onsite processing, deleterious or acid-forming materials**

Comment #	Sheet/Page/Map/Table #	Comments	Initials	Review Action
13	Page 11 Para 2 & 3	Please include both the ready mix plant equipment maintenance.  Response from Operator (MD) - What is your reasoning to include the ready mix plant and maintenance facilities in the NOI? I feel they should not be included because they can operate without the mining operation. They are separate operations, much like the asphalt plant segregation was allowed at Keigley Quarry.  OGM Response: On-site maintenance facilities are part of the mining operations. The Division routinely requires that these facilities be included in NOIs. The definition of "land affected" in R647-1-106 includes work, parking, storage, or waste discharge areas, structures and facilities, and the maintenance facilities are "work . . . facilities."  The definition of mining operations in rule R647-1-106 includes on-site concentration, milling, evaporation, and other primary processing and excludes smelting or refining operations. The ready mix plant is an on-site facility and not in the category of smelting or refining operations, so it needs to be included as part of the mining operations. The Division may have erred in allowing the asphalt plant at the Keigley quarry to be excluded.  The operator may apply for a change in the postmining land use for the ready mix plant area or maintenance facilities at the time of final reclamation, and if the use is justified, the Division may allow the plant and other facilities to remain after mining is complete.	lah  MD  pbb	



#### 106.6 - Plan for protecting & re-depositing soils

Comment #	Sheet/Page/Map/Table #	Comments	Initials	Review Action
19	Page 13 & page 22	<p>Based on photos from the area, there should be more than six inches of topsoil available to deposit. More than two samples are needed for a site the size of the disturbance. Not all samples need to be analyzed for chemistry, but soil depths and chemistry will vary from the areas over the rock versus the area over the alluvial fill.</p> <p>Response from Operator (MD) - It states "Based on photos from the area, there should be more than six inches of topsoil available to deposit". How can you determine the amount of topsoil by a photograph? Please refer me to the photos that indicate the level of topsoil. Also stated in the comment was "2 samples are not sufficient". How many do you recommend? Also "not all samples need to be analyzed" was stated in the comments. If this is the case then why get more than the 2 samples already obtained if they don't need to be analyzed? What is the purpose of gathering samples?</p> <p>OGM Response – The comment was based on Google Earth photos showing farm land in the area, and farm land generally has more than four to six inches of topsoil.</p> <p>The soil survey included in the NOI indicates the dominant soils have A horizons (topsoil) between 11 and 16 inches deep. Some areas undoubtedly have less soil, but the NOI should show how much soil will be salvaged from new disturbances. Staker should salvage 11-16 inches of topsoil where this much soil is available</p> <p>Although the text on page 12 says samples were taken from two different undisturbed locations, it appears there are actually four samples, two labeled "agg" (assumed to mean agricultural) and two labeled "bench." Assuming these samples were taken from agricultural areas and from a bench or hill, this should be enough samples, but please better define in the text or show on a map where these samples were taken and correct the statement that there were two samples taken.</p>	<p>lah</p> <p>MD</p> <p>lah &amp; pbb</p>	

#### R647-4-109 - Impact Assessment

##### 109.3 – Projected impacts on existing soils resources

Comment #	Sheet/Page/Map/Table #	Comments	Initials	Review Action
27	Page 17 & Appendix G	<p>Please label the table in Appendix G as Table 4 which is noted in the text on page 17.</p> <p>Response from Operator (MD) - (same as comment 13) (the 2<sup>nd</sup> 27 on page 7 of the comments) – Please give reasoning behind the needed demolition of these items listed in table 3. These facilities are capital investments not tied to the mining operation.</p> <p>OGM Response: As discussed above, the facilities are used for the mining operation and need to be permitted and bonded accordingly.</p>	<p>lah</p> <p>MD</p> <p>pbb</p>	